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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION  
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11 THE GUARDIAN INSURANCE  
12 AND ANNUITY COMPANY, INC.,  
a corporation,

13 Plaintiff,

14 v.

15 CARLA M. UNTERMANN, an  
16 individual; PHILLIP  
UNTERMANN, an individual, et al.,

17 Defendants.  
18

Case No. C 07-3557 CRB

**ORDER GRANTING DISCHARGE,  
DISMISSAL, ATTORNEY'S FEES,  
AND LIQUIDATION OF ANNUITY  
CONTRACTS**

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20 The parties having stipulated and good cause appearing therefor,  
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22 IT IS HEREBY ORDERED THAT the Guardian shall liquidate Annuity  
23 Contracts Nos. 201176527 and 210197866 (the "Annuity Contracts") by the 20th  
24 day following the Court's entry of this order and shall distribute the proceeds of  
25 each Annuity Contract in equal shares to Diane R. Abraham, Successor Trustee of  
26 the Dolph L. Camilli Bypass Trust and William H. Shea, Jr., Successor Trustee of  
27 the Gerda M. Camilli Survivor Trust.  
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1 IT IS FURTHER ORDERED THAT the Guardian shall be paid the sum of  
2 \$8,250 as reasonable attorney's fees and costs incurred in connection with this  
3 interpleader action, to be paid out of the proceeds from the liquidated Annuity  
4 Contracts.

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6 IT IS FURTHER ORDERED THAT upon liquidation and distribution of the  
7 Annuity Contract proceeds, the Guardian and Defendants, and each of them, shall  
8 be discharged from liability to the other party or parties to the full extent permitted  
9 by law with respect to benefits payable under the Annuity Contracts, and arising out  
10 of or on account of the death of Gerda Camilli.

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12 IT IS FURTHER ORDERED THAT upon liquidation and distribution of the  
13 Annuity Contract proceeds, the Guardian and Defendants, and each of them, shall  
14 be permanently enjoined from instituting or prosecuting against the other party or  
15 parties any proceeding in any State or United States District Court regarding any  
16 benefits payable under the Annuity Contracts, and arising out of or on account of  
17 the death of Gerda Camilli.

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19 IT IS FURTHER ORDERED THAT this action shall be dismissed in its  
20 entirety with prejudice as to all parties.

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23 DATED: \_\_\_\_\_

\_\_\_\_\_  
United States District Court Judge